

## **REMARKS**

The Office Action mailed December 27, 2007 has been received and carefully noted. Claims 1-45 are currently pending in the subject application and are presently under consideration.

Claims 1, 6, 8, 16, 21, 23, 28, 31, 36, 38, and 43 have been amended herein. Support for the claim amendments can be found in at least page 13, ll. 8-18 and Figures 4-6 of the Specification. Therefore, no new matter has been introduced in the amendments and entry thereof is respectfully requested. A listing of claims can be found on pages 3-8 of this Reply. In addition, the Specification has been amended, as shown on page 2 of this Reply.

Favorable reconsideration of the pending claims is respectfully requested in view of the following amendments and comments.

### **I. Priority**

The Examiner directs the Applicant to 35 U.S.C. § 120 and 37 C.F.R. § 1.78 for obtaining the benefit of the filing date of a prior application. However, pursuant to 35 U.S.C. § 120 and 37 C.F.R. § 1.78, the Applicant filed a Preliminary Amendment on April 12, 2004 to amend the Specification and add the "Cross-Reference to Related Documents" section to claim priority, as a continuation application, to the parent application, Application Number 10/809,972 entitled "Link Annotation for Keyboard Navigation" filed March 26, 2004.

### **II. Objection to the Specification**

The Examiner has objected to the Specification for various minor informalities. The Applicant has amended the Specification to correct each of the informalities noted by the Examiner. Accordingly, it is respectfully requested that this objection be withdrawn.

### **III. Rejection of Claims 1, 3-11, 14-16, 18-26, 29-31, 33-41, 44, and 45 Under 35 U.S.C. § 102(b)**

Claims 1, 3-11, 14-16, 18-26, 29-31, 33-41, 44, and 45 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Smethers (U.S. 2003/0055870). It is respectfully requested that these rejections be withdrawn for at least the following reason. Smethers does not describe each and every element of the claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that “*each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

*In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (quoting *Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added). In particular, amended independent claims 1, 16, and 31 recite: “the one or more visual linktags displayed simultaneously with the one or more interactive links” or analogous aspects. Smethers fails to expressly or inherently describe this aspect.

The Examiner contends that Smethers discloses visual linktags displayed adjacent to interactive links in the display screen (item 504) of Figure 5 (*See* Office Action mailed December 27, 2007, pg. 4). The Applicant respectfully disagrees.

Figure 5 of Smethers depicts a telephone screen presenting a bookmark menu of three items. A user sets up his own bookmark menu, designating which URLs and short names are assigned to their corresponding number keys (*See* Smethers, Figure 4). Pressing and holding the number on the telephone keypad will cause the webpage assigned to that number to be retrieved. For example, the user in this case has assigned the number “1” to a “short name” (*i.e.*, a label) of “My Stocks” and a URL of “<http://www.uplanet.com/stocks.html>” (*See Id.*). Therefore, when viewing the bookmark menu on the telephone, pressing and holding the “1” key will retrieve the webpage associated with <http://www.uplanet.com/stocks.html> (*See Id.* at paragraph 0068).

In Figure 5 of Smethers, the Examiner appears to equate the numbers (*i.e.*, 1, 2, and 3) with the linktags and the “short names” (*i.e.*, My Stocks, Redskins Updates, and Local News) with the interactive links (*See* Office Action mailed December 27, 2007, pg. 4) since those two items (the numbers and the “short names”) are the only things displayed on the screen.

However, the “short names” of the cited reference do not expressly or inherently describe interactive links. The dictionary definition of “interactive” as relating to the field of computer science, is “[o]f or relating to a program that responds to user activity” (“Interactive” definition from Dictionary.com citing *The American Heritage® Dictionary of the English Language, Fourth Edition*. Houghton Mifflin Company, 2004. <http://dictionary.reference.com/browse/interactive> (accessed: February 07, 2008)). These “short names” are not **interactive**, that is they do not respond to user activity. Rather, the “short names” are text labels set by the user to identify by name the webpage that will appear once the

corresponding number is pressed and held. The Examiner has not established that the displayed text is in any way interactive. This text, as presented in Figure 5, cannot respond to user activity or be “initiated” in some way. Therefore, Smethers does not expressly or inherently describe “the one or more visual linktags displayed simultaneously with the one or more interactive links.”

Claims 3-11, 14, and 15 depend from independent claim 1, claims 18-26, 29, and 30 depend from independent claim 16, and claims 33-41, 44, and 45 depend from independent claim 31, thus incorporating the limitations thereof. For at least the aforementioned reasons regarding the amended independent claims, Smirnov does not describe each and every element of the dependent claims. Accordingly, it is respectfully requested that these rejections be withdrawn.

**IV. Rejection of Claims 2, 17, and 32 Under 35 U.S.C. § 103(a)**

Claims 2, 17, and 32 stand rejected under 35 U.S.C. § 103(a) as being obvious over Smethers, in view of Hirayama (U.S. 2002/0035613). Claims 2, 17, and 32 depend from independent claims 1, 16, and 31, respectively, and thus incorporate the limitations thereof. The Examiner does not indicate and the Applicant does not discern any part of Hirayama that cures the aforementioned deficiencies of Smethers regarding amended independent claims 1, 16, and 31. For at least the above reasons relating to the independent claims, Smethers and Hirayama, alone or in combination, do not teach or suggest all the claim limitations of the dependent claims. Accordingly, it is respectfully requested that these rejections be withdrawn.

**V. Rejection of Claims 12, 13, 27, 28, 42, and 43 Under 35 U.S.C. § 103(a)**

Claims 12, 13, 27, 28, 42, and 43 stand rejected under 35 U.S.C. § 103(a) as being obvious over Smethers, in view of Hennings *et al.* (U.S. 6,763,496). Claims 12 and 13 depend from independent claim 1, claims 27 and 28 depend from independent claim 16, and claims 42 and 43 depend from independent claim 31, thus incorporating the limitations thereof. The Examiner does not indicate and the Applicant does not discern any part of Hennings *et al.* that cures the aforementioned deficiencies of Smethers regarding amended independent claims 1, 16, and 31. For at least the above reasons relating to the independent claims, Smethers and Hennings *et al.*, alone or in combination, do not teach or suggest all the claim limitations of the dependent claims. Reconsideration and withdrawal of these rejections are respectfully requested.

### **CONCLUSION**

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (408) 720-8300.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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